

## REMARKS

The present application includes pending claims 1-20, all of which have been rejected. By this Amendment, claims 1, 6 10, 11, and 15 have been amended as set forth above.

Initially, the Applicant notes that claims 5, 6, and 9 have not been specifically rejected.

Claims 1-4, and 7-8 stand rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 4,642,786 ("Hansen"). Claims 1, 10-11, and 15-17 stand rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 6,774,624 ("Anderson"). Claims 12-14, and 19-20 stand rejected under 35 U.S.C. 103(a) as being rendered unpatentable over Anderson in view of Hansen. Claim 18 stands rejected under 35 U.S.C. 103(a) as being rendered unpatentable over Anderson in view of United States Patent No. 5,967,980 ("Ferre"). The Applicant respectfully traverses these rejections for at least the following reasons:

### **I. Hansen Does Not Anticipate Claims 1-4, And 7-8**

The Applicant first turns to the rejection of claims 1-4, and 7-8 as being anticipated by Hansen. Hansen "relates to a method and apparatus for position and orientation measurement using a magnetic field and retransmission." Hansen at column 1, lines 8-10. In one embodiment, Hansen discloses a transmitter that is separate and distinct from receivers and retransmitters:

As shown in FIG. 4, the transmitter/receiver structure of FIG. 3 has been replaced with a **separate** transmitter 36 and three receivers 3, 5 and 7. The transmitter 36 is connected with a single oscillator 34 which is adjustable by the microprocessor 57' to place a voltage across the transmitter 36 which is at one of three predetermined frequencies corresponding to the resonant frequencies of the respective retransmitters 21', 25', and 29'.

*Id.* at column 23, lines 27-35 (emphasis added). As shown in Figure 4, the transmitter 36 is not mounted to a receiver assembly that includes the receivers 3, 5, and 7. Nor is the transmitter 36 mounted to a retransmitter assembly that includes the receivers 21', 25', and 29'.

Hansen also describes another embodiment in which a "transmitter 136 includes a housing 119 with a coil 120 wound therearound." *Id.* at column 24, lines 42-43. Similar to the embodiment discussed above, the transmitter 136 is separate and distinct from receivers and retransmitters. For example, Hansen states the following:

In the operation of the embodiment illustrated in FIG. 6, the receivers A, B and C are deployed in spaced relation within a work area as best shown in FIG. 7. The transmitter 136 is also located adjacent the work area and is operated by the microprocessor to transmit a magnetic field at the resonant frequency to the retransmitter 121.

*Id.* at column 24, lines 54-60, and Figure 4.

While Hansen may describe receivers, transmitters, and retransmitters, all of which are separate and distinct from one another, Hansen does not describe, teach or suggest "a single coil **mounted on one of said receiver assembly and said transmitter assembly, said single coil being positioned a fixed and known distance away from one of said receiver coil trio and said transmitter coil trio,**" as recited in claim 1 of the present application. Additionally, Hansen does not describe, teach, or suggest a system or method in which "asymmetrical relative motion alleviates hemisphere ambiguity," as recited in claim 1, as amended. Thus, for at least this reason, Hansen does not anticipate claims 1-4, and 7-8.

## **II. The Rejection Of Claims 1, 10-11, And 15-17 Should Be Withdrawn**

The Applicant next turns to the rejection of claims 1, 10-11, and 15-17 as being anticipated by Anderson. Anderson discloses the following:

As further shown in FIG. 2, the receiver coil assembly includes a calibration transmitting coil 10a fixed at a position close to the three receiver coils of the assembly. Coil 10a may be, for example, immovably secured in a fixed orientation relative to the three receiver coils in an integrated unit. The coil 10a is operated to generate a local magnetic field, oriented so that it induces calibration voltage signals in each of the receiving coils. The drive current in this coil is also measured by the current measuring circuitry 60. Coil 10a is energized, as described further below in connection with determination of mutual inductances, to effect normalization of the component signals received in the three receiving coils.... The calibration coil 10a is driven by a calibration coil driver.

Anderson at column 8, lines 26-39. Anderson does not describe, teach or suggest, however, that the arrangement discussed above “alleviates,” or “nullifiers hemisphere ambiguity,” as recited in independent claims 1, 10, and 15. Thus, for at least this reason, Anderson does not anticipate the claims of the present application.

## **III. The Rejection Of Claims 12-14, And 19-20 Should Also Be Withdrawn**

The Applicant next turns to the rejection of claims 12-14, and 19-20 as being rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Hansen. The Applicant respectfully submits that this rejection should be withdrawn for at least the reason discussed above with respect to claims 1, 10-11, and 15-17.

Additionally, Anderson should be disqualified as prior art with respect to this rejection.

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Effective November 29, 1999, subject matter which was prior art under former 35 U.S.C. via 35 U.S.C. 102(e) was disqualified as prior art against the claimed invention if that subject matter and the claimed invention “were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.”

MPEP § 2146.

The Anderson patent is considered prior art only under 35 U.S.C. 102(e). The assignment for the present application is recorded at Reel/Frame 014545/0147, while the assignment for the Anderson patent is recorded at Reel Frame 014567/0262. The Anderson patent and the present application were, at the time the inventions described in the present application were made, owned by GE Medical System Global Technology Company, LLC, or subject to an obligation of assignment to that entity. Thus, for at least this reason, the Applicant respectfully submits that this rejection should be withdrawn.

#### **IV. The Rejection Of Claim 18 Should Also Be Withdrawn**

The Applicant now turns to the rejection of claim 18 as being unpatentable over Anderson in view of Ferre. The Applicant respectfully submits that this rejection should be withdrawn for at least the reason discussed above with respect to claims 12-14, and 19-20.

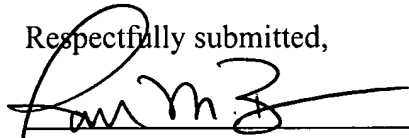
#### **V. Conclusion**

The Applicant respectfully submits that the pending claims of the present application define patentable subject matter, and request reconsideration of the claim rejections. If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited to

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contact the undersigned attorney for the Applicant. The Commissioner is authorized to charge any necessary fees, or credit any overpayment to Account No. 07-0845.

Respectfully submitted,



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